

REMARKS

Following entry of the foregoing amendments, claims 24-27 and 30-40 constitute the pending claims in the present application. Claims 24-27 and 30-40 are presently rejected.

Applicants respectfully request reconsideration in view of the following remarks. Issues raised by the Examiner are addressed below in the order they appear in the prior Office Action.

1. Applicants Amend the Specification to Address the Outstanding Objection

The disclosure is objected to because it does not recite the current status of U.S. patent application Serial No. 09/992,359, from which the present application claims priority. Applicants hereby amend the specification at paragraph 0001 to recite that U.S. patent application Serial No. 09/992,359 is “now issued U.S. patent 6,689,047.” Applicants request reconsideration and withdrawal of the objection.

2. Applicants File Terminal Disclaimer in Response to Obviousness-Type Double Patenting Rejection Over US 6,689,047 to Gellman et al.

Claims 24-27 and 30-40 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 2, 4, and 6-13 of US 6,689,047 to Gellman et al., the parent application of the present application. Applicants are filing a Terminal Disclaimer herewith. As such, the obviousness-type double patenting rejection of claims 24-27 and 30-40 is rendered moot, and Applicants request reconsideration and withdrawal of the rejection.

Applicants Request Clarification on Prior Rejections of Record

In the Office action dated February 8, 2005, rejections under 35 U.S.C 102(e) over US 6,273,852 to Lehe et al. (“Lehe”); 35 U.S.C. 103(a) over Lehe in view of US 6,042,534 to Gellman et al. (“Gellman”); and 35 U.S.C. 103(a) over Lehe in view of US 5,899,909 to Claren et al. (“Claren”), and further in view of US 5,741,323 to Pathak et al. (“Pathak”) were presented by the Office. Since outstanding Office action is silent regarding the status of these rejections, Applicants request confirmation that these rejections have been overcome.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that the pending claims are in condition for allowance. Early and favorable reconsideration is respectfully solicited. The Examiner may address any questions raised by this submission to the undersigned at 617-951-7000. Should an extension of time be required, Applicants hereby petition for same and request that the extension fee and any other fee required for timely consideration of this submission be charged to **Deposit Account No. 18-1945**, under Order No. MIY-P02-010 from which the undersigned is authorized to draw.

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Respectfully submitted,

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